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UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF NEW YORK

RALPH ROMEO and KIRA MILO,

Plaintiffs,

vs.

JOHN E. ANDRUS MEMORIAL, INC., and
OLIVE MOHAMMED, individually,

Defendants.

Docket No. 07 Civ. 2863 (UA)(LMS)

INITIAL DISCLOSURE
STATEMENT

Filed Electronically

In accordance with Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant, John E. Andrus Memorial, Inc., (hereinafter "Defendant" or "Andrus") hereby provides initial disclosures. In making these disclosures, Defendant states these disclosures are based on the information reasonably available at this time and are made without waiving any objections as to the relevance, materiality, or admissibility of evidence in this action or any other action or proceeding. Defendant has not completed its investigation of the facts and circumstances relating to this action, nor has it completed discovery or preparation for trial. Defendant reserves the right at any time to revise, correct, add to or clarify the disclosures set forth herein.

LAW OFFICES

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Abramson**

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1. **THE IDENTITY OF ALL PERSONS WITH PERTINENT INFORMATION RESPECTING CLAIMS, DEFENSES, AND DAMAGES IS AS FOLLOWS:**

Betsy Biddle, Executive Director
Lauren Reinertsen, Administrator
Grace Aronne, Director of Human Resources
Patricia Constantine, Director of Nursing
Ralph Romeo, Plaintiff
Kira Milo, Plaintiff
Olive Mohammed, Defendant
Laura Frobels, former Director of Social Services
Sandra Sindaco, former Director of Community Life

2. **A GENERAL DESCRIPTION OF ALL DOCUMENTS IN THE CUSTODY AND CONTROL OF DEFENDANT BEARING SIGNIFICANTLY ON CLAIMS AND DEFENSES IS AS FOLLOWS:**

Defendant is in possession of plaintiffs' personnel files, disciplinary warning received by Plaintiff Romeo, salary and benefits history, investigative notes and corresponding statements, and employee handbook.

3. **THE IDENTITY OF ALL POTENTIAL EXPERTS AND THE BASIS FOR THEIR OPINIONS:**

It is premature to determine whether expert witnesses are necessary in this case. Defendant reserves the right to identify expert witnesses to the extent discovery requires same.

4. **THE INSURANCE AGREEMENTS:**

Determination of coverage pending.

5. **STATEMENT OF THE BASIS FOR ANY DAMAGES CLAIMED:**

Defendant's position is that plaintiffs are not entitled to any damages and that plaintiffs' complaint is devoid of merit.

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The foregoing statements are made in compliance with the Federal Rules of Civil Procedure, and should not be construed to constitute a waiver of any claims to attorney-client privilege or attorney work product or any other privilege under the law. The foregoing witnesses and documents are not to be considered conclusive, Defendant reserves the right to supplement and amend the list of witnesses and documents as this matter continues through investigation and discovery.

DATED: June 26, 2007

PECKAR & ABRAMSON, P.C.
Attorneys for Defendant,
John E. Andrus Memorial, Inc.

By: 

Jordan K. Merson (JM-7939)

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Abramson**

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DECLARATION OF SERVICE

I hereby certify that on June 26, 2007, I caused Defendant's Initial Disclosure Statement to be served upon Plaintiff and Defendant Mohammed to their respective counsel at the following addresses:

Jonathan Lovett, Esq.
Lovett & Gould, LLC
222 Bloomingdale Road
White Plains, NY 10605

Edward M. Berman, Esq.
Singer, Netter, Dowd & Berman
50 Main Street, Suite 1000
White Plains, New York 10606-1900

DATED: June 26, 2007



Jordan K. Merson (JM-7939)

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